

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

---

IN RE: SMITTY’S/CAM2 303 TRACTOR  
HYDRAULIC FLUID MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY  
LITIGATION

MDL No. 2936

Master Case No. 4:20-MD-02936-SRB

This document relates to:  
All Class Actions

---

**STATUS REPORT**

Class Counsel provides the following Status Report to Court Regarding the Settlement:

1. RG/2 was selected as Settlement Administrator for this Class Action Settlement with Manufacturer Defendants Smitty’s Supply, Inc. and CAM2 International LLC (“Manufacturer Settlement Agreement”) for notice and class administration. The selection was based upon a bid of \$992,790 provided by RG/2 to Class Counsel and the reasonableness of the bid relative to the work that would be expended. RG/2’s experience in successfully administering several similar nationwide tractor hydraulic fluid settlements was also a factor in its selection. The predominant portion of the bid was for notice and media costs, and the time spent for pre and post final approval work appeared reasonable.

2. No fees or other monies of any kind were paid, or will be paid, to Class Counsel by RG/2 or by Huntington Bank in connection with RG/2’s selection as Settlement Administrator and/or as part of the settlement administration in this MDL.

3. To date, RG/2 reports that \$646,341.26 has been expended for notice, postage and other publication expenses, equaling about 65% of the total claims administration budget. RG/2

has reported to Class Counsel that it expects the claims administration expenses will be within its budget submitted to Class Counsel and approved by the Court.

4. The Settlement funds are being administered by Huntington Bank. The agreement governing how those funds are to be handled was reached on September 16, 2024, and that Custodial Agreement is attached as Exhibit 1. As reflected in Exhibit B to the Custodian/Escrow Agreement, fees associated with Acceptance, Annual Administration, and Out of Pocket Expenses are waived by the Custodian/Escrow Agent.<sup>1</sup>

5. There was an initial funding of \$1,000,000 for the anticipated notice costs, which was paid pursuant to the settlement agreement in October of 2024. As of the end of November, \$722,857 had been paid out of those initial funds for the notice, publication, set-up, and other settlement administration charges, so that after less than 60 days, there were minimal remaining funds in the account from that initial funding. By March 31, 2025, \$795,815 of the \$992,790 budget had been paid out or completed by the Administrator.

6. Any funds placed in the account administered by Huntington Bank were to be invested in the IntraFi Cash Service (ICS) product. The interest earned through 5/31/25 on the funds from the initial funding for the notice costs is \$8,750.94.

7. The balance of the Settlement funds is to be fully funded on or before June 23, 2025. It is not anticipated the funds will yield significant additional interest after funding as there will be prompt distributions once funding is received, with the goal being that all class members' payments will be mailed out within 30-45 days of funding. Pursuant to the Manufacturer Settlement Agreement, within five (5) days of the funding, the Administrator will distribute to the

---

<sup>1</sup> Exhibit A to the Custodial Agreement has been redacted in this filing, as it is a copy of the "Confidential Class Action Settlement Term Sheet Key Provisions" agreed to by Plaintiffs and Defendants on August 24, 2024. However, that exhibit can be provided to the Court *in camera* if required.

Class Representatives their incentive award payments, as well as Class Counsel's fees and expense reimbursement. Thus, nearly full distribution of the Settlement Fund is anticipated by the end of July.

8. RG/2 has provided a declaration, attached as Exhibit 2, that Huntington Bank was selected due to its responsiveness and service, as well as that no payments have been paid to RG/2 by Huntington Bank for placement of these settlement funds.

9. An accounting of all checks received and paid in this account is attached as Exhibit A to Exhibit 2. The names of the Contributors to the fund have been redacted, as under the Class Action Settlement Term Sheet the identity of the payors into the escrow account are not to be disclosed by the escrow agent. If that information is for some reason required by the Court, that can be provided. However, information as to all payments made from the fund is fully disclosed.

Date: June 11, 2025

Respectfully submitted,

HORN AYLWARD & BANDY, LLC

BY: /s/ Thomas V. Bender

Thomas V. Bender MO 28099, KS 22860  
Dirk Hubbard MO 37936, KS 15130  
2600 Grand Boulevard, Ste. 1100  
Kansas City, MO 64108  
(816) 421-0700  
(816) 421-0899 (Fax)  
[tbender@hab-law.com](mailto:tbender@hab-law.com)  
[dhubbard@hab-law.com](mailto:dhubbard@hab-law.com)

WHITE, GRAHAM, BUCKLEY,  
& CARR, L.L.C

Bryan T. White MO 58805, KS 23255  
William Carr  
Gene Graham  
19049 East Valley View Parkway  
Independence, Missouri 64055  
(816) 373-9080 Fax: (816) 373-9319  
[bwhite@wagblaw.com](mailto:bwhite@wagblaw.com)

CLAYTON JONES, ATTORNEY AT LAW

Clayton Jones MO 51802  
P.O. Box 257  
405 W. 58 Hwy.  
Raymore, MO 64083  
Office: (816) 318-4266  
Fax: (816) 318-4267  
[clayton@claytonjoneslaw.com](mailto:clayton@claytonjoneslaw.com)

GRAY RITTER GRAHAM

Don M. Downing MO 30405  
Gretchen Garrison MO 66963  
701 Markey Street, Suite 800  
St. Louis, MO 63101  
Ph: (314) 241-5620  
Fax: (314) 241-4140  
[ddowning@grgpc.com](mailto:ddowning@grgpc.com)  
[ggarrison@grgpc.com](mailto:ggarrison@grgpc.com)

**LEAD CLASS COUNSEL FOR PLAINTIFFS  
AND CLASS MEMBERS**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document was filed electronically with the United States District Court for the Western District of Missouri, with notice of case activity to be generated and sent electronically by the Clerk of the Court to all designated persons this 11<sup>th</sup> day of June 2025.

/s/ Dirk Hubbard